

DIRECTOR OF CENTRAL INTELLIGENCE

Security Committee

SECOM-D-522

16 MAY 1979

MEMORANDUM FOR: Chairman, SECOM

VIA: Executive Secretary, SECOM

FROM:
SECOM Staff

SUBJECT: Foreign Intelligence Surveillance Court

REFERENCE: memorandum OGC 79-04477
to you dated 11 May 1979 (attached)

1. At the request of Mr. Joseph Spaniol, Deputy Chief of the Administrative Office of the United States Courts, I attended a meeting of the judges to be designated to the Foreign Intelligence Surveillance Court. The meeting was held in the Federal Judicial Center, Washington, D.C., from 1000 to 1200 Wednesday, 16 May 1979. Present were Judges Hart, Meredith, McGarr, Bryan, Lacey and Pierce, Mr. Spaniol, Mr. Mayer (Special Assistant to the Chief Justice), Mr. Imlay (Counsel to the Administrative Office), Mr. Robert S. Erdahl (retired Justice Department attorney), Ms. Jo Thomas (secretary in the Attorney General's office), and myself. Chief Justice Burger joined the meeting at 1100.

2. Judge Hart opened the meeting by noting that, as members of the court, they needed to appoint a Security Officer, a Legal Officer, and a Clerk of Court. He referred to resumes previously provided on myself, Mr. Erdahl and Ms. Thomas, and moved approval of our appointment, respectively, to the positions identified above. The other judges agreed thereto. The appointments are to take effect Monday, 21 May, following the scheduled public designation of the members of the court by the Chief Justice on Friday, 18 May.

79/236

3. Other matters dealt with at the meeting were discussion and adoption of rules of the court, schedules for briefings of the judges on 17 and 18 May; and administrative procedures for the court. Chief Justice Burger thanked the judges for agreeing to take on the task of being members of the court.

4. In appointing me, Mr. Erdahl and Ms. Thomas, the judges considered no other nominees. Referenced memorandum indicated that at least two candidates for Security Officer were desired, and requested you to propose "at least one and preferably two alternate candidates" and to provide suitable resumes for them. My understanding is that candidates are still desired for consideration as alternate Security Officer, to serve in the absence of the principal. I presume that more time than is indicated in the referenced memorandum is now available to suggest proposed candidates to the Office of General Counsel.

STAT



Attachment

OGC 79-04477

11 May 1979

MEMORANDUM FOR: Chairman, DCI Security Committee

FROM : [REDACTED]
Assistant General Counsel

STAT

SUBJECT : Security Officer to Support the Court
Created by the Foreign Intelligence
Surveillance Act

REFERENCE : Memorandum for DCI, From General Counsel,
same subject, dated 20 April 1979

1. In Referenced Memorandum, the DCI approved [REDACTED]
[REDACTED] as a suitable candidate for appointment to the post
of Security Officer for the new Foreign Intelligence Surveil-
lance Court. [REDACTED] name and a resume of his qualifi-
cations already have been provided to the staff representing
the new court.

STAT

2. The Department of Justice now advises that the court
staff have indicated that they would prefer to have at least
two individuals from which to choose. This preference is
consistent with the final draft of the court security pro-
cedures recently submitted to us by the Chief Justice which
indicates that the Security Officer is to be chosen from among
suitable candidates proposed by the Attorney General and the
DCI.

3. For these reasons we request that you propose at
least one and preferably two alternate candidates for the
position of Security Officer for the Court and that you
provide suitable resumes for such candidates. The minimum
requirement for such candidates is that they have a "demon-
strated competence in providing security for sensitive
compartmented information." It is equally important that
such individuals are capable of dealing effectively and
delicately with federal district and appellate court judges
who in many respects can be as demanding or more demanding
than Congressmen. I have invited the FBI and the National
Security Agency to submit the names of suitable candidates,
if they wish, as soon as possible, and I will pass along
any names which are provided. It is, however, distinctly to
the DCI's advantage to have such candidates come from his
security staff.

4. Informally, the Department of Justice and the court staff have indicated a decided preference for [redacted] and we will indicate that we favor him for the position. Nevertheless, the court security procedures provide for one or more alternate security officers, and it is expected that the other candidate(s) will be available as alternates.

STAT

5. Time, however, is running out since the court is expected to begin operations as of 17 May. It is important, therefore, that alternate candidates are selected and approved by the DCI as soon as possible, and, in any event, no later than 18 May. We will pass along the nominees and resumes to the court informally.

6. If you have any questions regarding this request, please have your staff call me on [redacted]

STAT

STAT

STAT

cc: [redacted]

STAT